

#### **REMARKS / ARGUMENTS**

Applicant respectfully requests reconsideration and allowance of the application in view of the amendment made above and the remarks to follow are respectfully requested.

Applicant gratefully acknowledges the statement in the Office Action that "Claims 1-7 would be allowable if rewritten to overcome the rejection under 35 USC 112 2nd paragraph".

Claims 1-10 are pending. No claims have been canceled. Claims 1, 4, and 7-10 have been amended.

Claims 1, 4 and 7-8 are objected to for not including the phrase "of the write-once storage medium" at various places. Claims 8-10 are rejected under 35 USC 101 for being drawn to non-statutory subject matter i.e. a "computer program" per se. Claims 1-10 are rejected under 35 USC 112 2nd para., for being indefinite.

In response to the claim objections for not including the phrase "of the write-once storage medium" at various places, the phrase has been added as suggested in the Office Action in the above amendment.

In response to the rejection of claims 8-10 under 35 USC 101, for being directed to non-statutory subject matter i.e. a "computer program" per se., claims 8-10 are amended above so that the amended claims are now directed to statutory subject matter.

In response to the rejection of claims 1-10 under 35 USC 112, 2nd para., claims 1, 4 and 7-8 have been amended. All the claims are now definite.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to

this effect is earnestly solicited.

Applicant may be reached by telephone at the number given below.

The Commissioner is hereby authorized to credit any overpayment or charge any fee (except the issue fee) including fees for any required extension of time, to Account No. 14-1270.

Respectfully submitted,

By /Michael E. Belk/  
Michael E. Belk, Reg. 33,357  
Senior Patent Attorney  
(914) 333-9643